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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application ) Application Division  
FUKUNAGA, Akira ) ATTN: PCT  
Serial No.: 07/811,581 ) Washington, D.C.  
Filing Date: 03/20/2001 ) Confirmation No. 2108  
For: COMPOSITE METALLIC... ) August 30, 2001

LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC  
§371

HON. COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTIFICATION OF MISSING  
REQUIREMENTS..." dated May 30, 2001.

- [ ] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information, serial number and priority information.
- [ ] Applicant claims small entity status. See CR 1.27.
- [ ] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. §1.821-1.825, Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.
- [ ] An Information Disclosure Statement with 1449 and references is also attached.
- [ ] A Preliminary Amendment
- [XX] An exact English language translation of the PCT application as originally filed.
- [XX] Surcharge for late filing of English translation \$130.00.
- [ ] Surcharge for late filing of the Declaration was paid on (Check)
- [ ] Surcharge for late filing of the Declaration in the amount of:
- | Small Entity | Other than Small Entity |
|--------------|-------------------------|
| [ ] \$65.00  | [ ] \$130.00            |
- [XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:
- | Small Entity           | Other Than Small Entity |
|------------------------|-------------------------|
| Response Filed Within  | Response Filed Within   |
| [ ] First - \$ 55.00   | [XX] First - \$ 110.00  |
| [ ] Second - \$ 195.00 | [ ] Second - \$ 390.00  |
| [ ] Third - \$ 445.00  | [ ] Third - \$ 890.00   |
| [ ] Fourth - \$ 695.00 | [ ] Fourth - \$1,390.00 |
- Month After Time Period Set      Month After Time Period Set
- [XX] Conditional Petition for Extension of Time:
- If any extension of time for a response is required, applicant requests that this be considered a petition therefor.
- [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$240.00 enclosed to cover the above fees.
- [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

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OIPF CERTIFICATION

I hereby certify that I am a qualified translator in the Japanese and English languages.

I furthermore certify that the appended translation is, to the best of my knowledge and belief, a true and accurate rendition into English of a Japanese-language patent application with the title "COMPOSITE METALLIC ULTRAFINE PARTICLES AND PROCESS FOR PRODUCING THE SAME".

Date: August 27, 2001

*Tomohiro Mori*

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